

Meeting Date: 1/13/09

Santa Clara



AGENDA REPORT

City of Santa Clara, California

Agenda Item #

7B-6



DATE: December 19, 2008

TO: City Manager for Council Action

FROM: Director of Streets & Automotive Services

SUBJECT: Approve Amendment No. 2 to Contract with Galedrige Construction for the 2008 Asphalt Removal & Repair Project

EXECUTIVE SUMMARY:

On March 18, 2008 Council approved an award of contract to Galedrige Construction, Inc., the lowest of 11 bidders, for the 2008 Asphalt Removal & Repair Project for a contract amount of \$717,769, with an additional amount of five percent (5%) for change orders. The work by Galedrige Construction has been acceptable and their unit prices are very competitive with past unit prices for this type of work. On May 13, 2008, Council approved Change Order No. 1 increasing the contract amount to a total of \$823,657. On December 2, 2008 Council approved Amendment No. 1 for additional pavement replacement work for a Water Department project, and reconstruction of Cypress Alley increasing the contract amount to \$997,152.

Staff needs to amend Galedrige Construction's contract one final time due to additional unanticipated asphalt removal and replacement work in areas where the Water Department conducted its recent water main replacement project. The additional amount of work totaled \$47,630. This additional request represents a total increase of \$47,630 in the previously increased contract amount of \$997,152. Staff has identified sufficient available Capital Improvement Project funds for this additional increase. A copy of Amendment No. 2 has been placed in Council Offices for review.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Increase in the contract amount would provide needed funds for the final trench pavement replacement for the recent Water Department installed major water main. Maintaining a sound and quality roadway system is vital to the City's economy and is essential to the public's health, safety, and welfare.

ECONOMIC/FISCAL IMPACT:

The additional work task increases the total amount by \$47,630, which increases the approved contract amount from \$997,152 to a total not to exceed contract amount of \$1,044,782. Additional funding of \$47,630 for this contract is available in the Water Utility Construction Distribution System Replacement project (Account 592-1423-80300-7049[I]2984).

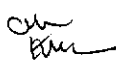
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Page 2

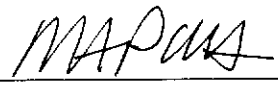
RECOMMENDATION:

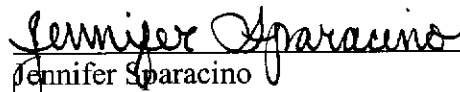
That the Council approve and authorize the City Manager to execute Amendment No. 2 to the contract with Galedrige Construction for the 2008 Asphalt Removal & Repair Project which increases the contract amount by \$47,630 to a total not to exceed contract amount of \$1,044,782.


Richard J. Mauck
Director of Streets & Automotive Services


Certified as to Availability of Funds:
592-1423-80300-7049[I]2984 \$ 47,630

APPROVED:


Mary Ann Parrot
Director of Finance


Jennifer Sparacino
City Manager

Documents Related to this Report:

- 1) *Amendment No. 2*

**AMENDMENT NO. 2
TO THE CONTRACT BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA
AND
GALEDRIGE CONSTRUCTION, INC.**

This agreement ("Amendment No. 2") is made and entered into on this ____ day of _____, 200__, ("Effective Date") by and between the City of Santa Clara, California, a chartered California municipal corporation, with its principal place of business located at 1500 Warburton Avenue, Santa Clara, California 95050 ("City") and Galedrige Construction, Inc., a California corporation with its principal place of business located at Alviso, CA ("Contractor"). Contractor and City may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Amendment No. 1."

RECITALS

- A. The Parties previously entered into a contract entitled "2008 Asphalt Removal & Repair Project", dated March 18, 2008 (the "Original Contract"); and
- B. The Parties entered into the Original Contract for the purpose of having Contractor provide asphalt removal and repair services, and the Parties now wish to amend the Original Contract to amend original unit costs, due to temporary suspension of work and increased costs, and provide additional asphalt removal and repair services; and
- C. The Parties agreed to a Change Order No. 1, effective May 13, 2008, which increased unit prices for asphalt, increased asphalt quantities, extended time of completion by fourteen (14) days, for a net increase of \$105,888 in contract amount to a new total of \$823,657.
- D. The Parties agreed to Amendment No. 2, effective December 2, 2008, which increased unit prices for asphalt, increased asphalt quantities, increased costs for mobilization, and traffic control, and added costs for repair work on Lincoln Street at Clay Street, for a net increase of \$173,505 in the contract amounting to a new total of \$997,152.

In consideration of the above Recitals and the following mutual covenants and obligations, the Parties agree as follows:

AGREEMENT PROVISIONS

- 1. Additional asphalt removal and replacement was performed in residential area where water department did their water main replacement project, the City and the Contractor agree to adjust the Fee Schedule included as Exhibit F, as follows:
 - a. Increase quantity for item 6 - Asphalt concrete from 1900 tons to 2202.76 tons
- 2. Total of the adjustment included in this amendment totals \$47,630 which results in a new total contract not to exceed amount of \$1,044,782.

4. All other terms of the Original Contract and Amendment No. 1, which are not in conflict with the provisions of this Amendment No. 2 shall remain unchanged in full force and effect. In case of a conflict in the terms of the Original Contract and this Amendment No. 2, the provisions of this Amendment No. 2 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 2 as evidenced by the following signatures of their duly authorized representatives. It is the intent of the Parties that this Amendment No. 2 shall become operative on the Effective Date first set forth above.

**CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation**

APPROVED AS TO FORM:

HELENE L. LEICHTER
City Attorney

JENNIFER SPARACINO
City Manager

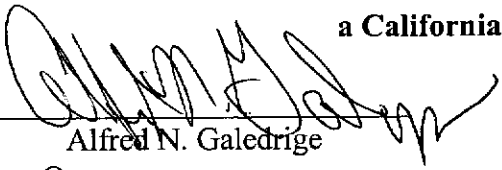
ATTEST:


ROD DIRIDON, JR.
City Clerk

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Facsimile: (408) 241-6771

“City”

**GALEDRIGE CONSTRUCTION, INC.,
a California corporation**

By: 
Alfred N. Galedrige
Title: Owner
Local Address:
P.O. Box 427, Alviso, CA 95002
Telephone: (408)946-7782
Facsimile: (408)946-7971


David Flores
Title: President
Local Address:
P.O. Box 427, Alviso, CA 95002
Telephone: (408)946-7782
Facsimile: (408)946-7971

“Contractor”

CITY OF SANTA CLARA
AGENDA MATERIAL ROUTE SHEET

Council Date: January 13, 2008²

SUBJECT: Approve Amendment No. 2 to Contract with Galedrige Construction for the 2008 Asphalt Removal & Repair Project

CERTIFICATION

The proposed Amendment No. 2
Regarding 2008 Asphalt Removal & Repair Project
has been reviewed and is hereby certified.

PUBLICATION REQUIRED:

The attached Notice/Resolution/Ordinance is to be published _____ time(s) at least _____ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for _____, 200__.

AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:

Federal Codes:

Title _____ U.S.C. § _____
(Titles run 1 through 50)

California Codes:

Code _____ § _____
(i.e., Government, Street and Highway, Public Resources)

Federal Regulations:

Title _____ C.F.R. § _____
(Titles run 1 through 50)

California Regulations:

Title _____ California Code of Regulations § _____
(Titles run 1 through 28)

City

City Charter § _____ (i.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

City Code § _____

1. As to City Functions, by




Department Head

2. As to Legality, by



City Attorney's Office / CAO Assignment No 08. 1727

3. As to Environmental
Impact Requirements, by



Director of Planning and Inspection

4. As to Substance, by



City Manager

Revision Date June 7, 2005